

By Joseph Morton

WORLD-HERALD BUREAU

WASHINGTON — Undeterred by past results, Rep. Lee Terry, R-Neb., is taking yet another run at forcing approval of TransCanada's Keystone XL pipeline.

Terry told The World-Herald that his latest proposal — to be introduced Monday — would approve the portion of the pipeline that runs from Canada's oil sands to the Nebraska-South Dakota border.

He said he hopes such an approach will make this plan more palatable to the Obama administration, which won't sign off on the project before an exact route through Nebraska is determined.

Nothing in the legislation would affect the ongoing process to distinguish the route within Nebraska, Terry said.

"It would allow Montana and South Dakota to start their part," he said.

Because the pipeline crosses an international border, the project requires a presidential permit. President Barack Obama has balked at providing that permit, in part out of concern for the risk to Nebraska's environmentally sensitive Sand Hills region and the Ogallala Aquifer.

The House has previously approved other pipeline plans from Terry. Those included language exempting Nebraska's ongoing state-level process of reviewing potential routes, but this latest bill would go a step further by specifically ending the approved portion of the pipeline at the Nebraska border.

Administration approval still would be needed for the Nebraska portion.

One earlier bill approved as part of the payroll tax cut extension simply required Obama to make a decision on the project. The administration responded by rejecting the pipeline, citing the unfinished Nebraska route and saying they needed to conduct further reviews.

Other efforts to force approval have either been ignored by the Democrats' Senate leadership or have fallen short of the 60 votes needed on that side of the Capitol.

The pipeline was originally designed to run from Canada to the Gulf Coast, but TransCanada opted earlier this year to pursue the southern leg of the pipeline as a separate project, taking that part out of the State Department's jurisdiction.

The move limited Obama's role in approving the southern portion, but he threw his support behind it nonetheless.

Terry characterized the president's rationale for endorsing the southern portion as a recognition that it didn't pose any environmental risk to Nebraska. He said the president could support the northern portion by the same rationale.

"There's no controversy on environmental impacts for the northern route up to the border of Nebraska," Terry said.

Pipeline critics have seized on a recent report by the National Transportation Safety Board that criticized another company, Enbridge, for a significant spill from one of its pipelines in Michigan. The board chairman described that company as the "Keystone Kops" in its handling of that pipeline.

Keystone XL opponents say Michigan's experience is a warning for Nebraska. Environmental groups also have concerns that go beyond the potential risk to Nebraska groundwater.

They say fostering the development of oil sands in Canada will cause a boom in greenhouse gas emissions that contribute to climate change.

Contact the writer:

202-630-4823, joe.morton@owh.com